

FILED IN U.S. DISTRICT COURT
DISTRICT OF UTAH

FEB 13 2024

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUSSELL WESLEY GRUBER,
DARRELL GLENN DEVOGE, and
PARKER DARRELL DEVOGE,

Defendants.

INDICTMENT

Count 1: 18 U.S.C. § 924(m), Theft of
Firearms from a Licensed Dealer;

Count 2: 18 U.S.C. § 922(j), Possession
of Stolen Firearms (GRUBER);

Count 3: 18 U.S.C. § 922(j), Possession
of Stolen Firearms (DARRELL
DEVOGE);

Count 4: 18 U.S.C. § 922(g)(1), Felon in
Possession of Firearms (GRUBER);

Count 5: 18 U.S.C. § 922(g)(1), Felon in
Possession of Firearms (DARRELL
DEVOGE).

Case: 4:24-cr-00021
Assigned To : Nuffer, David
Assign. Date : 2/12/2024
Description: USA v.

The Grand Jury Charges:

COUNT 1
18 U.S.C. § 924(m)
(Theft of Firearms from a Licensed Dealer)

On or about November 21 and 22, 2023, in the District of Utah,

RUSSELL WESLEY GRUBER,
DARRELL GLENN DEVOGE, and
PARKER DARRELL DEVOGE,

defendants herein, aiding and abetting each other, knowingly took from C-A-L Ranch Stores, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, located at 750 S. Main Street, Cedar City, Utah, and carried away the following firearms:

- One Ruger AR-556 5.56 NATO rifle;
- Two CBC Rio Bravo .22LR rifles;
- One HS Produkt Hellion 5.56 NATO rifle;
- Two Springfield Armory Saint 5.56 NATO rifles;
- Two W.W.I. WW-15 5.56 rifles;
- One Diamondback Firearms DB15 5.56 NATO rifle;
- One Ruger LC Carbine 5.7X28 rifle;
- Two Smith & Wesson M&P 15-22 22LR rifles;
- One Mossberg 590 .410 Bore shotgun;
- One Remington 870 12 Gauge shotgun;
- One Black Rain Ordinance Fallout 15 .223 Wylde rifle;
- One Century Arms VSKA 7.62X39 rifle;
- Two Riley Defense RAK47 7.62X39 rifles;
- Two Charter Arms Undercover .38 Special revolvers;
- One Charter Arms Pink Lady .38 Special revolver;
- One Charter Arms Southpaw .38 Special revolver;
- Two Heckler & Koch VP9 9mm pistols;

- One Sig Sauer P365 9mm pistol;
- One Sig Sauer P320 9mm pistol;
- One Sig Sauer P322 .22LR pistol;
- One Sig Sauer P365 .380 ACP pistol;
- One Beretta 80x Cheetah .380 auto/9mm pistol;
- One Beretta USA Corp 92X 9mm pistol;
- Three Taurus TX 22 22LR pistols;
- One Taurus Armas 856 .38 Special revolver;
- One Taurus Armas G3 9mm pistol;
- Two Glock 19 9mm pistols;
- One Glock 42 .380 pistol;
- Two Glock 43X 9mm pistols;
- One Glock 48 9mm pistol;
- Two Glock 17 9mm pistols;
- One HS Produkt Hellcat Pro 9mm pistol;
- Two HS Produkt Hellcat 9mm pistols;
- One HS Produkt XDS-9 9mm pistol;
- One HS Produkt XDE-9 9mm pistol;
- One HS Produkt XDM Elite 9mm pistol;
- Two HS Produkt XD-9 9mm pistols;
- One Smith & Wesson M&P Shield .380 Auto pistol;
- One Smith & Wesson 642-2 .38 S&W Special pistol;
- One Smith & Wesson M&P22 Mag 22 WMR pistol;
- One Smith & Wesson 442-1 .38 Special revolver;
- Two Smith & Wesson M&P 9 9mm pistols;
- One S&W USA 637-2 .38 S&W Special revolver;
- One Ruger LCP Max .380 Auto pistol;
- Three Ruger Max 9 9mm pistols;
- One Ruger LCP II .380 Auto pistol;
- One Kimber R7 Mako 9mm pistol;
- One Kimber Micro Rose .380 ACP pistol;
- One Browning Arms Co. Buck Mark .22LR pistol;
- One Sarsilmaz SAR-9X 9mm pistol;
- One Sarsilmaz SAR 9 9mm pistol;
- One Sarsilmaz B6C 9mm pistol;
- One ACP STK100 9mm pistol;

- One Kel Tec PMR 30 .22 pistol;
- Two Shadow Systems MR920 9mm pistols;
- One Umarex 502 .22LR pistol;
- One Beretta APX 9mm pistol; and
- One Taurus TX22 .22LR pistol

with the intent to permanently deprive C-A-L Ranch Stores of those firearms; all in violation of 18 U.S.C. §§ 924(m) and 2.

COUNT 2
18 U.S.C. § 922(j)
(Possession of Stolen Firearms)

On or about December 22, 2023, in the District of Utah,

RUSSELL WESLEY GRUBER,

defendant herein, did knowingly possess, conceal, and store stolen firearms, which firearms had been shipped and transported in interstate commerce, to wit:

- One HS Produkt Hellion 5.56 NATO rifle;
- One Springfield Armory Saint 5.56 NATO rifle;
- One W.W.I. WW-15 5.56 rifle;
- One Ruger LC Carbine 5.7X28 rifle;
- Two Smith & Wesson M&P 15-22 22LR rifles;
- One Mossberg 590 .410 Bore shotgun;
- Two Riley Defense RAK47 7.62X39 rifles;
- Two Charter Arms Undercover .38 Special revolvers;
- One Charter Arms Pink Lady .38 Special revolver;
- Two Heckler & Koch VP9 9mm pistols;
- One Sig Sauer P320 9mm pistol;
- One Sig Sauer P322 .22LR pistol;
- One Beretta USA Corp 92X 9mm pistol;
- One Glock 43X 9mm pistol;
- One HS Produkt XDE-9 9mm pistol;

- Two HS Produkt XD-9 9mm pistols;
- One Smith & Wesson M&P Shield .380 Auto pistol;
- One Smith & Wesson M&P 9 9mm pistol;
- One S&W USA 637-2 .38 S&W Special revolver;
- Two Ruger Max 9 9mm pistols;
- One Kimber R7 Mako 9mm pistol;
- One Kimber Micro Rose .380 ACP pistol;
- One Sarsilmaz SAR 9 9mm pistol;
- One Kel Tec PMR 30 .22 pistol;
- One Shadow Systems MR920 9mm pistol;
- One Umarex 502 .22LR pistol; and
- One Taurus TX22 .22LR pistol;

knowing and having reasonable cause to believe the firearms had been stolen, all in violation of 18 U.S.C. § 922(j) and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT 3
18 U.S.C. § 922(j)
(Possession of Stolen Firearms)

On or about December 22, 2023, in the District of Utah,

DARRELL GLENN DEVOGE,

defendant herein, did knowingly possess, conceal, and store stolen firearms, which firearms had been shipped and transported in interstate commerce, to wit:

- One Ruger AR-556 5.56 NATO rifle;
- Two CBC Rio Bravo .22LR rifles;
- One Springfield Armory Saint 5.56 NATO rifle;
- One W.W.I. WW-15 5.56 rifle;
- One Diamondback Firearms DB15 5.56 NATO rifle;
- One Smith & Wesson M&P 15-22 22LR rifle;
- One Remington 870 12 Gauge shotgun;
- One Black Rain Ordinance Fallout 15 .223 Wylde rifle;

- One Century Arms VSKA 7.62X39 rifle;
- One Riley Defense RAK47 7.62X39 rifle;
- One Sig Sauer P365 .380 ACP pistol;
- One Sig Sauer P365 9mm pistol;
- One Beretta 80x Cheetah .380 auto/9mm pistol;
- One Beretta APX 9mm pistol;
- One Glock 48 9mm pistol;
- One Glock 42 .380 pistol;
- Two Glock 19 9mm pistols;
- One Glock 17 9mm pistol;
- One HS Produkt XDM Elite 9mm pistol;
- One HS Produkt XD-9 9mm pistol;
- Two HS Produkt Hellcat 9mm pistols;
- One HS Produkt Hellcat Pro 9mm pistol;
- One Charter Arms Southpaw .38 revolver;
- Three Taurus TX 22 .22 pistols;
- One Taurus 856 .38 revolver;
- One Taurus G3 9mm pistol;
- One Smith & Wesson 637-2 .38 revolver;
- One Smith & Wesson M&P 9mm pistol;
- One Ruger LCP MAX .380 pistol;
- One Ruger MAX-9 9mm pistol;
- One Browning Arms Buckmark .22 pistol;
- One Sarsilmaz SAR-9X 9mm pistol;
- One Sarsilmaz BC6 9mm pistol;
- One Armscor STK100 9mm pistol; and
- One Shadow System MR920 9mm pistol;

knowing and having reasonable cause to believe the firearms had been stolen, all in violation of 18 U.S.C. § 922(j) and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT 4
18 U.S.C. § 922(g)(1)
(Felon in Possession of Firearms)

On or about December 22, 2023, in the District of Utah,

RUSSELL WESLEY GRUBER,

defendant herein, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed firearms, to wit:

- One HS Produkt Hellion 5.56 NATO rifle;
- One Springfield Armory Saint 5.56 NATO rifle;
- One W.W.I. WW-15 5.56 rifle;
- One Ruger LC Carbine 5.7X28 rifle;
- Two Smith & Wesson M&P 15-22 22LR rifles;
- One Mossberg 590 .410 Bore shotgun;
- Two Riley Defense RAK47 7.62X39 rifles;
- Two Charter Arms Undercover .38 Special revolvers;
- One Charter Arms Pink Lady .38 Special revolver;
- Two Heckler & Koch VP9 9mm pistols;
- One Sig Sauer P320 9mm pistol;
- One Sig Sauer P322 .22LR pistol;
- One Beretta USA Corp 92X 9mm pistol;
- One Glock 43X 9mm pistol;
- One HS Produkt XDE-9 9mm pistol;
- Two HS Produkt XD-9 9mm pistols;
- One Smith & Wesson M&P Shield .380 Auto pistol;
- One Smith & Wesson M&P 9 9mm pistol;
- One S&W USA 637-2 .38 S&W Special revolver;
- Two Ruger Max 9 9mm pistols;
- One Kimber R7 Mako 9mm pistol;
- One Kimber Micro Rose .380 ACP pistol;
- One Sarsilmaz SAR 9 9mm pistol;
- One Kel Tec PMR 30 .22 pistol;
- One Shadow Systems MR920 9mm pistol;
- One Umarex 502 .22LR pistol; and
- One Taurus TX22 .22LR pistol;

and the firearms were in and affecting commerce; in violation of 18 U.S.C. § 922(g)(1).

COUNT 5
18 U.S.C. § 922(g)(1)
(Felon in Possession of Firearms)

On or about December 22, 2023, in the District of Utah,

DARRELL GLENN DEVOGE,

defendant herein, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed firearms, to wit:

- One Ruger AR-556 5.56 NATO rifle;
- Two CBC Rio Bravo .22LR rifles;
- One Springfield Armory Saint 5.56 NATO rifle;
- One W.W.I. WW-15 5.56 rifle;
- One Diamondback Firearms DB15 5.56 NATO rifle;
- One Smith & Wesson M&P 15-22 22LR rifle;
- One Remington 870 12 Gauge shotgun;
- One Black Rain Ordinance Fallout 15 .223 Wylde rifle;
- One Century Arms VSKA 7.62X39 rifle;
- One Riley Defense RAK47 7.62X39 rifle;
- One Sig Sauer P365 .380 ACP pistol;
- One Sig Sauer P365 9mm pistol;
- One Beretta 80x Cheetah .380 auto/9mm pistol;
- One Beretta APX 9mm pistol;
- One Glock 48 9mm pistol;
- One Glock 42 .380 pistol;
- Two Glock 19 9mm pistols;
- One Glock 17 9mm pistol;
- One HS Produkt XDM Elite 9mm pistol;
- One HS Produkt XD-9 9mm pistol;
- Two HS Produkt Hellcat 9mm pistols;
- One HS Produkt Hellcat Pro 9mm pistol;
- One Charter Arms Southpaw .38 revolver;

- Three Taurus TX 22 .22 pistols;
- One Taurus 856 .38 revolver;
- One Taurus G3 9mm pistol;
- One Smith & Wesson 637-2 .38 revolver;
- One Smith & Wesson M&P 9mm pistol;
- One Ruger LCP MAX .380 pistol;
- One Ruger MAX-9 9mm pistol;
- One Browning Arms Buckmark .22 pistol;
- One Sarsilmaz SAR-9X 9mm pistol;
- One Sarsilmaz BC6 9mm pistol;
- One Armscor STK100 9mm pistol; and
- One Shadow System MR920 9mm pistol;

and the firearms were in and affecting commerce; in violation of 18 U.S.C. § 922(g)(1).

A TRUE BILL:

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FOREPERSON OF GRAND JURY

TRINA A. HIGGINS
United States Attorney



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